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## CONTRIBUTIONS TO BIBLICAL EXEGESIS BY RUDOLPH VON IHERING.

THE unfortunately unfinished work *Vorgeschichten der Indoeuropäer*, found among the literary remains of the famous lawyer and jurist, Rudolph von Ihering, contains a considerable number of interesting notes on and expositions of Biblical themes which deserve attention, both on account of the author's celebrity as well as for their own intrinsic value. I deem it particularly necessary to call attention to them, because, being the work of one who was not a professed biblical critic, they might easily escape notice.

In harmony with the general purpose of his book, Ihering has specially dealt with the contents of the first chapters of Genesis, the account of the Creation.

One of Ihering's leading conceptions is the theory that the Aryan (the Indo-German) was originally a shepherd and the Babylonian (the Semite) was a tiller of the ground. With this idea he connects the story of Cain and Abel.

"What is the import of the statement that Cain cultivated the soil? The fact placed in the foreground of this legend is true only in regard to the Jewish people; with the dawn of *their* history, agriculture already begins. Cain, i. e. the Jews, in contradistinction to other nations, have always been an agricultural people" (p. 109).

Again: "Cain slays Abel. What is this precisely intended to tell us. If the object of the narrative were only to stigmatize the heinous crime of fratricide, why specially emphasize the circumstances that one of the brothers is a shepherd, the other a husbandman?"

"The purpose of the details in the story is obvious. If Cain typifies the early appearance of agriculture, his brother's murder symbolizes the fact that husbandry—the most efficient method of making the earth yield up her wealth—supplants and drives out of the field that less perfect pursuit—the tending of flocks and herds.

"On land suitable for pasture and tillage, the shepherd and husbandman cannot both exist, Abel must give way to Cain" (p. 110).

Ihering might also have added that the shepherd's easy and enviable mode of existence, in its sharp contrast to the toilsome and distasteful occupation of the field labourer, is shadowed forth in Cain's hatred of his brother.

Another wide and brilliantly developed generalization made by Ihering is that the Semites, the agricultural people, were the founders of cities and thus originators of the higher civilization. This is Ihering's explanation of the verse (Gen. iv. 17): "And Cain built a city" "it embodies the conception that among the Semites both agriculture and towns are very ancient, and date from the beginning of history.

"In addition to this assumption of the early antiquity of cities, the legend also involves another assertion which is deserving of the closest attention, viz.—'that it was the farmer who built the towns.' The aim and object of the statement that Cain the tiller of the ground also founded a city, is to my mind as indubitable as that of the detail of his occupation noted in the story of his brother's murder.

"Cain's mental superiority over Abel, evidenced in his choice of agriculture as a profession, is again manifested in the weighty discovery that the town is a necessity to him" (p. 111). Compare also the remarks on the Sacrifices of Cain and Abel (p. 338, &c.).

Ihering also has several notes on the scriptural accounts of the Flood (pp. 191-195), the tower of Babel, and the Confusion of Tongues (pp. 129-134).

His glosses on the Fourth and Fifth Commandments are copious.

Of these I select as noteworthy his explanation of the addition to the Fifth Commandment. "In order that it may be well with thee and that you may live long on earth<sup>1</sup>." This, according to Ihering, means: "If you do not show honour to your parents, then your children will refuse you respect. The evil example set will be copied by your descendants, and thus you will fail to prosper nor will you live long; your children will be as reluctant to provide for you in old age as you have shown yourself toward your parents and thus your days will be shortened" (p. 54, note 56). The objection that the commandment was not addressed to the individual but to the whole nation and that the promise of long life refers, not to each Israelite, but rather to Israel's lengthy tenure of Canaan, Ihering dismisses as devoid of foundation; on the ground that, according to that view, the text should not have read "that you should live long," but "that you should live in the land for ever." That Ihering is totally wrong here may be gathered, at a glance, from the use of the word היום in Deut. v. 30, vi. 6, ii. 3 and similar passages.

On the Fourth Commandment Ihering has a curious hypothesis. Most peculiarly, he explains the words in Deut. v. 15, "Thou shalt remember that thou wast a slave in Egypt," to mean that Israel should rest on the Sabbath, bearing in mind that even in Egypt he

<sup>1</sup> This is Ihering's somewhat free rendering.

was permitted to rest from his hard toil, every seventh day of the week. Ihering briefly remarks (p. 143): "The Israelites' overseers who superintended their tasks (2 Mos. i. 11) allowed them cessation from their labours one day every week." Further on (p. 149) he adds: "The Egyptian task-masters showed no mercy to the Jewish bondmen, but yet they allowed them the seventh day of rest." Starting from this totally unfounded hypothesis Ihering challenges the religious character of the Mosaic Sabbath, and ventures to contend (p. 146) that "the Sabbath was originally only intended as a secular holiday for physical recreation and not a religious festival on which Israel might have the opportunity of glorifying God; it was the Church which first transformed it into the Lord's Day, a conception and an institution of which even the Apostles had not the remotest idea." I only mention this to show into what absurdities deficient knowledge of the sources can mislead even so sound a student and—in his own branch—so profound and acute a scholar as Ihering undoubtedly was.

How little he penetrated into the spirit of the Religion of the Bible and the conceptions of the prophets is also shown in his *Excursus* on the Monotheism of the Hebrews. To account for his want of breadth and to follow his course of reasoning (p. 299, &c.), one should know the second-rate authorities on which Ihering relied for his information and from which he drew his inspiration.

The reader may with advantage be referred to his remarks on the social and political laws of the Mosaic Code (p. 147), the prohibition of usury (p. 252), the penalty of stoning (p. 177), the sacrifice of the firstborn (p. 342), the fiery furnace into which Daniel was cast (p. 129).

Very fine are the explanations of the two Minatory Addresses, Lev. xxvi and Deut. xxviii (p. 139): "In the list of punishments with which God threatens His people for disobedience to His commandments, fire is not named. All kinds of evil are threatened with the exception of that most destructive visitation. I cannot remember a single instance of a conflagration recorded in the whole Bible or in the Babylonian and Assyrian histories. How significant is this silence, need hardly be discussed. It points to the Semitic custom of erecting edifices of stone while the Aryan was long content with wooden huts." Ihering might also have referred to the enactment concerning leprous houses (Lev. xiv. 33-53), where only stone dwellings are mentioned. Incorrect is his statement (p. 160) that in the Old Testament, the Temple is called Mount of God in allusion to Ps. xlviii. 2, Ezek. xxviii. 14. The latter text does certainly not refer to the Temple, and if the Sanctuary in Jerusalem is called

Mount of God, the title is perfectly justified by its topographical position.

Ihering makes a curious archaeological statement, and indicates the authority which, however, I have been unable to trace. "The ox-skin," he says (p. 32), "was the Roman's most primitive black-board. The Jews in David's time also made similar use of the bull's hide." Where is the evidence? Does he find it in the phrase (Ps. xl. 8, *במגולת ספר כחוב עלי*) perhaps which the authority on whom Ihering relied thought meant a roll of parchment. But why just an ox-hide? Perhaps some reader will find the solution to the riddle.

One could quote several weighty observations having no direct and immediate bearing on the Bible, but yet relating to the People of the Book. Unfortunately, the paragraph (p. 35) in which he proposed to sketch the characteristics of the Semites is not worked out. But in the sections before us the author found the opportunity of formulating his views on the important rôle the Semite played in the history of civilization; and I cannot deny myself the pleasure of quoting the following passage *in extenso* (p. 281): "The Semite has become the teacher of the Aryan as every one inevitably must become who comes into contact with a mental inferior. Without the Semite's aid, the Aryan would have needed thousands of years to attain his present grade of culture. The Aryan is the heir of the Semite. It was not necessary for him to commence from the beginning, and to learn everything for himself; without effort he has appropriated his teacher's culture."

The following specially concerns the Jewish community, but is not absolutely correct, and almost sounds like an echo—of course well meant—of the social-economic sentiments of the Anti-Semites. It is unnecessary to say that the author of the *Kampf um Recht* condemned unjust attacks on the adherents of Judaism. His remarks are as follows (p. 107): "The Jew is no spendthrift; he takes care of his pence. Hence, riches acquired by a Jewish house are seldom lost by it, while Christian families after a few generations retain little if anything of their acquisitions. . . . It would be interesting to determine statistically in what relative proportions to their numbers Jews and Christians take shares in the state lotteries. I should imagine that the percentage of Jews must be very small." Ihering could have mentioned, had he known them, the Rabbinical Regulations against Gambling, which place games of chance in the same category with theft and plunder.

W. BACHER.